

To: CN=Marcia Combes/OU=R10/O=USEPA/C=US@EPA[]
Cc: kellogg.greg@epa.gov;CN=Kendra
Tyler/OU=R10/O=USEPA/C=US@EPA;CN=Marianne
Holsman/OU=R10/O=USEPA/C=US@EPA;CN=Michael
Szerlog/OU=R10/O=USEPA/C=US@EPA;North.Phil@EPA.GOV;CN=Richard
Parkin/OU=R10/O=USEPA/C=US@EPA[]; N=Kendra
Tyler/OU=R10/O=USEPA/C=US@EPA;CN=Marianne
Holsman/OU=R10/O=USEPA/C=US@EPA;CN=Michael
Szerlog/OU=R10/O=USEPA/C=US@EPA;North.Phil@EPA.GOV;CN=Richard
Parkin/OU=R10/O=USEPA/C=US@EPA[]; N=Marianne
Holsman/OU=R10/O=USEPA/C=US@EPA;CN=Michael
Szerlog/OU=R10/O=USEPA/C=US@EPA;North.Phil@EPA.GOV;CN=Richard
Parkin/OU=R10/O=USEPA/C=US@EPA[]; N=Michael
Szerlog/OU=R10/O=USEPA/C=US@EPA;North.Phil@EPA.GOV;CN=Richard
Parkin/OU=R10/O=USEPA/C=US@EPA[]; orth.Phil@EPA.GOV;CN=Richard
Parkin/OU=R10/O=USEPA/C=US@EPA[]; N=Richard Parkin/OU=R10/O=USEPA/C=US@EPA[]
From: CN=Patricia McGrath/OU=R10/O=USEPA/C=US
Sent: Fri 7/16/2010 7:34:07 PM
Subject: Re: Fw: EPA Meeting

It is my understanding that Dennis is interested in visiting Pebble because it is a highly controversial project in an environmentally sensitive area and there are significant tribal concerns on both sides of the numerous issues associated with this mine. We will be heavily involved in NEPA, 404, and oversight of ADEC's NPDES permitting process, so we do not want to focus discussion on 404(c). In the same vein, we will not limit a discussion if this is an issue that the tribes want to bring up and we expect that they will. We recognize that six tribes have specifically requested a meeting and a decision on 404(c). But it is our understanding, based on the meeting with TU, that the 404(c) meeting with the six tribes will occur later this summer in Seattle.

This is an opportunity for Dennis and the Administrator to hear from the tribes (not just the six tribes with 404(c) concerns, but also other tribes) and their different perspectives and issues beyond 404(c). The six tribes that requested preemptive 404(c) also requested a meeting and more information about their potential role in the NEPA process. So, we expect NEPA could come up as well and EPA's and the tribes role given that ADEC will be writing any NPDES permit for the project.

It is only fair to also allow the PLP a short time to describe the project.

Given the limited time frame (one day) and the number of tribes that have interest, I don't believe that it is appropriate to focus on 404(c). Since, as mentioned above we will be involved in other programs and Dennis is still planning to set aside time later this summer to meet with the six tribes.

If you like I can call Jeff Parker back and explain that the focus is not on 404(c) since, as Tami said, we want to be inclusive of all tribes and hear their perspectives. That does not mean that we are ignoring 404(c), it is just that we planned to have that discussion in a different forum. If 404(c) does come up we will answer questions to the best of our ability given that we have not made a firm decision yet.

Tami has done a great job in working with the tribes to put together an agenda that best reflects what we can do given the time constraints and issues that have been raised. I suggest that Tami focus on the tribes and either Michael or I get back to Jeff Parker.

- Patty

From: Marcia Combes/R10/USEPA/US
To: Kendra Tyler/R10/USEPA/US@EPA, Marianne Holsman/R10/USEPA/US@EPA
Cc: Richard Parkin/R10/USEPA/US@EPA, Patricia McGrath/R10/USEPA/US@EPA, Michael Szerlog/R10/USEPA/US@EPA, kellogg.greg@epa.gov, North.Phil@EPA.GOV
Date: 07/16/2010 11:52 AM
Subject: Fw: EPA Meeting

Hi Kendra--this will require some sorting out with Dennis, Patty, Rick and Michael. We are arranging a Dillingham visit at Dennis' request, and in follow up to the multiple requests the RA's office has had with the various interested parties. The Administrator opted to extend her trip for a day based on her interest in this leg, and learning more about the project. We need to better understand what the purpose of this trip is from Dennis' perspective and what needs we are trying to meet. We were not intending for this to be a visit to discuss the 404(c) petition and that regulatory option, but rather to hear from the interested parties their perspectives and concerns regarding the potential Pebble mine project.

Tami has her hands full here, and we'll need some clear direction for what the expectations for success will be and what need we are attempting to target. Then we will develop clear and firm messages and organize the time accordingly.

FYI, we do not have charter information yet that will inform us on how many seats we have on the plane(s), but Patty McGrath, Rick Parkin, and Tami Fordham are on the roster as it stands.

----- Forwarded by Marcia Combes/R10/USEPA/US on 07/16/2010 10:32 AM -----

From: Tami Fordham/R10/USEPA/US
To: Greg Kellogg/R10/USEPA/US@EPA, Patricia McGrath/R10/USEPA/US@EPA, Marcia Combes/R10/USEPA/US@EPA
Cc: Richard Parkin/R10/USEPA/US@EPA, Michael Szerlog/R10/USEPA/US@EPA, Marianne Holsman/R10/USEPA/US@EPA, Phil North/R10/USEPA/US@EPA
Date: 07/16/2010 10:21 AM
Subject: Fw: EPA Meeting

From my understanding this visit is not about the 404(c), of course that is part of it, but the listening session is open to all tribal governments. I have already notified the tribes in the Bristol Bay region of the Administrator's visit to Dillingham. I have been working with local entities BBNA, Curyung Tribe, City of Dillingham, Kim Williams (both from Ekwok, BBNA, & the Nunamta watershed group). Richard King attended the first meeting and the second meeting. The second call was opened to the whole region, no other tribes called in. Richard King would like EPA to visit Ekwok and has not given up on this request.

My intent all along has been to be inclusive of all of the tribes. If there needs to be a separate meeting for the 404(c) with the 6 tribes then you need to let me know. Jeff Parker would like to know if we are not going to discuss 404(c) so he can advise his clients accordingly.

The current plan at the moment is the following:

1030AM-12PM - Tribal Environmental Program Successes - this is an opportunity for tribal environmental programs to make brief presentations about their work throughout the region.

12PM-1PM - Potluck - Organized by the Curyung Tribe and the Bristol Bay Native Association - we will need to bring some dishes (sandwiches, salads, fruit or always good).

1-230PM - Meeting with Tribal Governments - This meeting is an opportunity for the EPA to hear tribal

environmental concerns related to the proposed Pebble project, opportunities for partnership, and not a discussion as to whether or not the project should happen or not. Tribal Governments would like this to be a closed meeting, they will be designating official representatives who will attend where the Tribal Council Presidents may be unavailable.

230-245 - Break

245PM-345PM - Open Meeting for other local governments, non-profits, or other entities to share their perspectives on the proposed pebble project. This is a listening session, not a forum for stating positions on the project. EPA is not managing this as a public hearing, this is an opportunity for EPA to hear first hand from the people in Dillingham and the Bristol Bay region to discuss their environmental concerns, and opportunities for partnership. Invitations will be going to the local and regional governments, watershed council, health corporations and native corporations.

4PM - EPA departs Dillingham (back to Anchorage)

----- Forwarded by Tami Fordham/R10/USEPA/US on 07/16/2010 10:04 AM -----

From: "jeff parker" [Ex. 6 PII]
To: Tami Fordham/R10/USEPA/US@EPA, Richard Parkin/R10/USEPA/US@EPA, Michael Szerlog/R10/USEPA/US@EPA, <'holsman.marianne@epa.gov'>, <'tyler.kendra@epa.gov'>, <'Thomas.Sally@epa.gov'>, <'Anderson-Carnahan.Linda@epa.gov'>, Phil North/R10/USEPA/US@EPA
Cc: [Ex. 6 PII, Richard King], [Ex. 6 PII, Bobby Andrew], [Ex. 6 PII, Luki Akelkok], <nunamtaexdir@gmail.com>, "Lorraine King" [Ex. 6 PII, Lorraine King]
Date: 07/16/2010 09:42 AM
Subject: FW: EPA Meeting

All,

I just received the attached letter from Mr. King.

Apparently, a miscommunication occurred between EPA/Seattle and EPA/Anchorage regarding inviting the tribes. My email records show that for purposes of such invitations, I sent on June 11 to Ms. Holsman, Ms. Tyler, Ms. Thomas, and Ms. Anderson-Carnahan all the contact information (attached) for all six tribes that are signatory to the 404(c) letter. Yet, that information apparently did not get forwarded to Ms. Fordham. (I sent the same to her yesterday.)

The lack of that information apparently has resulted in the email string, pasted below, that starts out with not one of those six tribes included in setting up this meeting with Ms. Jackson and Mr. McClerran.

I trust this is now being straightened out. Please keep me informed. I recommend that all six tribes that requested 404(c) be invited. I also recommend that you include AIFMA and TU, both of which have supported the six tribes on 404(c), and have recommended that EPA coordinate with those six tribes.

Best regards,

Jeff Parker

-----Original Message-----

From: Richard King [mailto:**Ex. 6 PII, Richard King**]
Sent: Friday, July 16, 2010 8:39 AM
To: Fordham.Tami@epamail.epa.gov
Cc: **Ex. 6 PII, Lorraine King**; Kimberly Williams; **Ex. 6 PII, Luki Akelkok**; Lorraine King
Subject: EPA Meeting

Please see attachment. Rick

-----Original Message-----

From: Fordham.Tami@epamail.epa.gov [mailto:Fordham.Tami@epamail.epa.gov]
Sent: Thursday, July 15, 2010 9:11 AM
To: jeff parker
Subject: Fw: Update - Tentative Schedule

----- Forwarded by Tami Fordham/R10/USEPA/US on 07/15/2010 09:10 AM

From: Tami Fordham/R10/USEPA/US

To: Billy Maines <billy@curyungtribe.com>, dorothea@curyungtribe.com, **Ex. 6 PII, Lydia Olympic**, lydia_olympic@twos.org, mayor@dillinghamak.us, sflensburg@bbna.com, Executive Director <nunamtaexdir@gmail.com>, manager@dillinghamak.us, planner@dillinghamak.us, Richard King
<**Ex. 6 PII, Richard King**>

Date: 07/14/2010 03:47 PM

Subject: Update - Tentative Schedule

Good Afternoon,

Thank you all for being on the call today. I think we have landed at a relatively good place in terms of the agenda. The flight times are still being figured out but here is the tentative schedule.

1030 or 11AM (depending on flight times) - start Environmental Successes/Program work discussions
Tour Boat Harbor & Kananak (spelling?) Beach to look at the erosion issues & working lunch in here somewhere

1PM-330PM - Listening Session on Proposed Pebble Mine

Depart Dillingham @ 4PM

What I will need next is the meeting locations and a few more details about who we are meeting with.

I look forward to talking with you more tomorrow about this trip.

The phone line will be the same, Nonresponsive Conference Code code Nonresponsive Conference Code

Thanks! Tami

----- Forwarded by Tami Fordham/R10/USEPA/US on 07/14/2010 03:28 PM

From: Tami Fordham/R10/USEPA/US

To:

Date: 07/14/2010 10:18 AM

Subject: Fw: EPA Administrator Lisa Jackson Visit to Dillingham - Let's Plan this Together

Good Morning!

Update - the meeting with the Tribal Leaders and other entities in Dillingham will likely be from 1-330PM. The schedule is still being finalized, as soon as it gets final I will let you know.

I look forward to talking with you at 130PM, [Nonresponsive Conference Code] code

[Nonresponsive Conference Code]

Thanks! Tami

----- Forwarded by Tami Fordham/R10/USEPA/US on 07/14/2010 10:14 AM

From: Tami Fordham/R10/USEPA/US

To: Executive Director <nunamtaexdir@gmail.com>

Cc: Billy Maines <billy@curyungtribe.com>,
dorothy@curyungtribe.com, [Ex. 6 PII, Lydia Olympic]
lydia_olympic@twi.org, mayor@dillinghamak.us,
sflensburg@bbna.com

Date: 07/13/2010 02:30 PM

Subject: Re: EPA Administrator Lisa Jackson Visit to Dillingham - Let's
Plan this Together

Hi Kimberly,
Thank you, if there is anyone else that should be included in the
planning of this meeting please let me know. This would be a day trip
to Dillingham, getting in the morning and leaving around 5PM. The
meeting with the tribal leaders could start as early as 1030am.

Thanks - Tami

From: Executive Director <nunamtaexdir@gmail.com>

To: Tami Fordham/R10/USEPA/US@EPA

Cc: Billy Maines <billy@curyungtribe.com>, sflensburg@bbna.com,

Ex. 6 PII, Lydia Olympic

lydia_olympic@twi.org, mayor@dillinghamak.us,
dorothy@curyungtribe.com

Date: 07/13/2010 01:13 PM

Subject: Re: EPA Administrator Lisa Jackson Visit to Dillingham - Let's
Plan this Together

Tami:

Tomorrow afternoon would work, however Billy Maines is in DC and I've
cc'd Dorothy Larson, Curyung Tribe's Tribal Administrator. I've tried
to contact Sue Flensburg at BBNA but she was out of her office today.
I've alerted both Ralph Andersen, BBNA CEO and Arla Johnson BBNA
Brownsfield Coordinator. If possible, can you send me a tentative
travel schedule - that would assist Tribes in Bristol Bay with their
travel planning efforts.

--

Kimberly Williams
Executive Director
Nunamta Aulukestai

On Tue, Jul 13, 2010 at 1:04 PM, <Fordham.Tami@epamail.epa.gov> wrote:

Good Afternoon,

EPA is planning a visit to Dillingham, and the focus is a listening
session on the proposed Pebble mine. I would like to work with all of
you to plan this meeting, can we get together tomorrow to plan how the
day will unfold. I would like to send an invitation to the Tribal
Leaders in the region out as soon as possible.

The current list of who is planning to travel:

Administrator Lisa Jackson
Region 10 Administrator Dennis McLerran
Michelle DePass, Assistant Administrator, Office of International and
Tribal Affairs
Marcia Combes, Anchorage Operations Office Director
Greg Kellogg, Anchorage Operations Office Deputy Director
Patricia McGrath, Region 10 Mining Coordinator

myself and a few others, as soon as I have their names I will send them to you.

Would 130PM tomorrow (7/14) work for you?

The Teleconference Line is: [Nonresponsive Conference Code] Code [Nonresponsive Conference Code]

I look forward to talking with you soon.

Thanks - Tami

~~Equality - With Great Respect for the People We Serve

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[attachment "EPA LETTER.doc" deleted by Patricia McGrath/R10/USEPA/US] [attachment "List of Client contacts for EPA.doc" deleted by Patricia McGrath/R10/USEPA/US]